

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

CURTIS WARNER, on behalf of himself        )  
and all others similarly situated,        )  
    )  
Plaintiff,                                    )       **1:18-cv-00727-LCB-LPA**  
    )  
v.    )       **CLASS ACTION**  
    )  
MIDLAND FUNDING, LLC,                    )  
MIDLAND CREDIT MANAGEMENT,             )  
INC., and SMITH DEBNAM NARRON        )  
DRAKE SAINTSING & MYERS, LLP,        )  
    )  
Defendants.                                )

**DEFENDANTS' MOTION FOR EXTENSION OF TIME  
TO REPLY TO PLAINTIFF'S RESPONSE IN OPPOSITION  
TO MOTIONS TO COMPEL ARBITRATION AND TO STAY**

Defendant Midland Funding, LLC (“Midland Funding”), Defendant Midland Credit Management, Inc. (“Midland Credit”) and Smith Debnam Narron Drake Saintsing & Myers, LLP (“Smith Debnam”) (collectively, the “Defendants”) move the Court, pursuant to FED. R. CIV. P. 6(b) and LR 6.1(a), for an extension of time to serve their respective Replies to Plaintiff’s Response in Opposition to Motion to Compel Arbitration (D.E. #31) and Affidavit in Opposition to Motion to Stay (D.E. #32), and in support thereof respectfully show the Court that the time originally prescribed for filing and service of such replies has not expired; that Defendants’ replies are currently due on or before January 25, 2019; that Defendants have not previously been granted an extension of time for filing of their Replies; that counsel for Defendants consulted with Plaintiff’s counsel who has consented to the extension; and that Defendants’ counsel needs additional time to prepare their replies.

WHEREFORE, Defendants respectfully pray the Court to issue an order extending the time for filing replies to Plaintiff’s Response in Opposition to Motion to Compel Arbitration and

Affidavit in Opposition to Motion to Stay for an additional seven (7) days, up to and including  
**February 1, 2019.**

This the 24<sup>th</sup> day of January, 2019.

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